

Remarks/Arguments

Claims 1-14 are pending in the application. Claims 1-14 have been amended. Claims 15-20 have been added. The amendment is fully supported by the original disclosure. No new matter has been introduced. Reconsideration and allowance of claims 1-20 in view of the following remarks is respectfully requested.

The Allowance Of Claims 9-14:

The Examiner has indicated that claims 9-14 are in condition for allowance. Applicant concurs, however, Applicant has elected to amend claims 9-14 to add "comprising" language to claim 9 and remove "characterized in that" language from dependent claims 10-14. Applicant believes that such amendment does not change the condition of claims 9-14 for allowance.

Applicant's New Claims 15-20:

In view of the Examiner allowing method claims 9-14, Applicant has elected to add new apparatus claims 15-20 that mirror the allowed method claims. Specifically, independent apparatus claim 15 differs from allowed independent method claim 9 only by replacing "method" with "device", replacing "by the successive steps of" with "comprising", and adding "means for" language in front of each step a)-c). Likewise, new dependent apparatus claims 16-20 differ from allowed method claims 10-14 only in that new claims 16-20 depend from claim 15 instead of claim 9, and replace "method" with "device". Accordingly, new claims 15-20 contain essentially the same limitations as allowed claims 9-14 and are allowable for the same reasons.

The Objection To The Abstract For Informalities:

The Examiner has objected to the Abstract for containing a typo "5" on line 3. In response, Applicant has amended the Abstract to remove the "5" on line 3 of the Abstract.

The Objection To Claim 10 For Informalities:

The Examiner has objected to dependent claim 10 for containing a typo on line 2 of "15". In response, Applicant has amended dependent claim 10 to remove the "15" language.

The Rejection Of Claims 1-5 and 7-8 Under 35 U.S.C. § 102:

The Examiner has rejected claims 1, 2, 4, 5, 7, and 8 as being anticipated by Hayashi (U.S. Patent No. 6,268,004), and rejected claims 1 and 3 as being anticipated by Boyce (U.S. Patent No. 3,462,001).

In response, Applicant has amended independent claim 1 to recite that the device is "for use with a crimper" and that the support formed by the conveyors is "adapted to receive meat products from the crimper where the support forms a chute that aligns the meat products during displacement of the conveyors." Applicant can find no such device in the cited prior art. This relation between the crimper 1 and the chute formed by the conveyors 7 and 8 can be seen in Fig. 3 where the crimper wheel 1 has deposited meat product 29 into the formed chute and the displacement of conveyors 7 and 8 has aligned the meat product 29. None of the prior art appears to show the combination of a support "adapted to receive meat products from the crimper" where the support also forms a "chute that aligns the meat product during displacement of the conveyors." Accordingly, Applicant believes that independent apparatus claim 1 is allowable in view of the cited prior art.

Support for the amendments to claim 1 can be found in the specification at page 7, lines 28-36.

Likewise, dependent claims 2-8 are allowable, due at least to their dependence on independent claim 1.

Additionally, dependent apparatus claim 8 contains an additional limitation not found in the prior art of "the transport paths of the aligning conveyors having a path section running substantially parallel to each other which transposes into a path

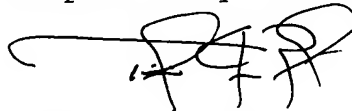
section where the distances between the transport paths increases in the direction of transport." The Examiner's marked up Fig. 2 appears to indicate the Examiner's belief that Hayashi is adjustable to either substantially parallel or "increasing distance". Applicant notes, however, that claim 8 does not recite "adjusting", instead claim 8 requires a first path section "running substantially parallel to each other" and a second path section "where the distance between the transport paths increases in the direction of transport." Accordingly, it can be seen that Hayashi and/or Boyce may arguably provide either the first path section or the second path section, but cannot provide both. Thus, Applicant asserts that dependent claim 8 is likewise allowable in view of the cited prior art.

Conclusion:

In view of the above amendments and remarks, Applicant believes that claims 1-20 are in condition for allowance, and Applicant respectfully requests allowance of such claims. If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone the undersigned at 515-558-0200.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account 50-2098.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Zarley', with a stylized flourish extending to the left.

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